

*The actions delineated below were taken in open session of the EPSB at the February 9, 2015, meeting. This information is provided in summary form; an official record of the meeting is available in the permanent records of the Education Professional Standards Board (EPSB), 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, KY 40601*

<p style="text-align: center;"><b>Education Professional Standards Board (EPSB)</b> <b>Summary Minutes of the Meeting</b> <b>EPSB Offices, 100 Airport Road, 3<sup>rd</sup> Floor</b> <b>Frankfort, Kentucky</b></p>
--

### **Call to Order**

Chair Cassandra Webb called the meeting to order at approximately 9:00 a.m. EST.

### **Roll Call**

The following Board members were present during the February 9, 2015, EPSB meeting: Brandy Beardsley, Ellen Blevins, Barbara Boyd, Tolya Ellis, Terry Holliday, Allen Kennedy, Robert King, Marie McMillen, Mary John O'Hair, Michael Ross, Laura Schneider, Sandy Sinclair-Curry, Anthony Strong, Cassandra Webb, and David Whaley. Shannon Treece was absent.

### **Board's Mission Statement**

Chair Webb reminded the Board of its mission statement by reviewing it with the Board and audience.

### **Open Speak**

There were four requests for Open Speak.

#### Thomas Haddock

Mr. Thomas Haddock said he currently serves as KEA president of Boone County and spoke to the Board during Open Speak in December. He asked that the Board change the reporting process for dismissed cases against teachers. Mr. Haddock said that he has been involved in three (3) due process hearings since December and at least one (1) teacher in those hearings was falsely accused. He stated his opinion that the six (6) teachers from his area who spoke during Open Speak at the December meeting made an impact on the Board. He brought two (2) more teachers from his area to speak at the February meeting, and reported his intention to continue appearing at EPSB meetings until he sees changes.

#### Glenn Marsh

Mr. Glenn Marsh introduced himself to the Board and stated that he works with 'one-percenters' who often come from psychiatric hospitals. Mr. Marsh said he was falsely accused by a third grader, who was in his class for a week and who, he believed, did not want to be in school. Mr. Marsh said he has faced several ramifications as a result of this accusation and that what happened to him could happen to any teacher. Mr. Marsh gave his opinion that the current investigative misconduct process has a gap between punishment and professionalism. He said the gray area could be clarified by the EPSB establishing procedures and guidelines that are not currently in place. He suggested the following:

- 1) Under the EPSB mission statement for Goal 3, *"Every credentialed educator exemplifies behaviors that maintain the dignity and integrity of the profession by adhering to established law*

*and EPSB Code of Ethics” add an additional strategy that every credentialed educator will be protected from spurious false misrepresentations of actions and decisions taken as they were fulfilling professional duties.*

2) In the paragraph on the EPSB website under ethics where it states that the EPSB is responsible for investigating and prosecuting all cases of educator misconduct, change the language to read as follows: *“The EPSB is responsible for investigating, prosecuting, or expunging all cases of educator misconduct.”*

3) Add a sentence on the EPSB website which is also under ethics to read as follows: *“The EPSB will not allow the public confidence in the public schools to be undermined by sensationalized stories, misuse of publicly shared information, or misrepresentation of actual events.”*

#### Kelli Smith

Ms. Kelli Smith introduced herself to the Board as a teacher who sees her profession as part of her identity and who teaches special education, moderate to severe disabilities. She stated that her position requires her to be responsible for more personal tasks than a regular teacher, and the health care needs of some of her students can necessitate incredibly intimate situations. Ms. Smith explained that there was a possibility that a situation could be misconstrued because language and communication deficits were also a disability for many of her students. She said a false allegation against her was something she was forced to think about and she knew two (2) teachers with false accusations who left their careers. She asked the Board to make changes on how allegations are handled.

#### Dennis Courtney

Mr. Dennis Courtney introduced himself as an attorney from Murray, Kentucky, who has represented teachers in Western Kentucky for more than 20 years. Mr. Courtney, with his client’s approval, discussed his client’s experience with having a case reported to the EPSB, and what his client endured based upon the accusation. Mr. Courtney said even two years later his client has a cloud over his head. Mr. Courtney stated his opinion that the EPSB should never have received this complaint from the school district. He said the draft regulations brought to the Board are just a start to fixing the disciplinary process.

#### New Board Attorney

Chair Cassandra Webb introduced Mr. Michael Head as the EPSB’s new Board attorney from the Attorney General’s office who was assigned to work with the Board. He replaces former Board attorney Angela Evans.

Mr. Head said he worked as a hearing officer for 16 years and is very familiar with the disciplinary process. He said he looks forward to working with the Board.

#### **Approval of Consent Items**

Chair Cassandra Webb requested that Board members identify any items on the consent agenda which they wished to discuss prior to taking final action. No items were asked to be pulled for further discussion.

## **2015-001**

*Motion made by Ms. Marie McMillen, seconded by Mr. Anthony Strong, to approve the following items on the consent agenda:*

Approval of December 8, 2014 EPSB Minutes

Approval of Contract

Learning and Behavior Disorders P-12 Initial (Bachelor's Level), Alice Lloyd College

Offsite Campus Approval, Western Kentucky

16 KAR 5:040. Request to Waive Requirements Pertaining to Observation of Teacher Candidates During Student Teaching, Western Kentucky University

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Anthony Echeveste, Elizabeth Isenhower, Julie Crone, and Rebecca Sledge

16 KAR 5:040. Request to Waive Student Teacher Placement Requirements, Dr. Sam Evans on behalf of Rachel Walters

Remedial Ethics Training, Jefferson County Teachers

**Vote:** *Unanimous*

Dr. Kim Walters-Parker recognized representatives from Alice Lloyd College whose program was approved.

### **Report of the Executive Director**

#### Kentucky Rising Joint Initiative

Executive Director Brown and the National Council on Education and the Economy representatives Tony Mackay (joined by phone from Australia), Felicia Cummings-Smith, and John DeAtley updated the Board on major initiatives surrounding Kentucky Rising. Kentucky Rising is a statewide strategic plan focused on a “cradle- to-career” model to improve the economy of the Commonwealth and the prosperity of citizens of the Commonwealth. The goal is for Kentucky to have a workforce that is among the world’s most highly skilled, globally aware, and globally competent. Key stakeholders in a working group will develop the strategic plan and the strategic plan will address the following components:

- 1) provide strong supports for children and their families before students even arrive at school;
- 2) provide more resources for at-risk students than for others;
- 3) develop world class, highly coherent instructional systems;
- 4) create clear gateways for students through the system, set to global standards, with no dead ends;
- 5) assure an abundant supply of highly effective teachers;
- 6) redesign schools to treat teachers as professionals, with incentives and support to continuously improve their practice and the performance of their students;
- 7) create a highly effective system of career and vocational education and training, built on high academic standards, with pathways both to work and to further education;

- 8) create a leadership development system that develops leaders at all levels to manage such systems effectively; and,
- 9) institute a governance system that has the authority and legitimacy to develop coherent and powerful policies and is capable of implementing them at scale.

The next Kentucky Rising meeting was scheduled for February 20, 2015.

Commissioner Holliday said Kentucky is at the forefront because of its collaborative spirit and innovation. President King said it is imperative that the outcomes from this work be that the workforce is globally competent.

Currently, funding for Kentucky Rising is from foundations until a plan is developed for Kentucky Rising.

## **2015-002**

*Motion made by Dr. David Whaley, seconded by Ms. Tolya Ellis, to amend the agenda to add Action Item C. Kentucky Rising Resolution to the agenda.*

**Vote:** *Unanimous*

### Report from the Kentucky Department of Education (KDE)

The report from KDE was in the Board folders. There were no other questions from the Board.

### Report from the Council on Postsecondary Education (CPE)

The report from CPE was in the Board folders. There were no other questions from the Board.

### Strategic Plan Update

Deputy Executive Director Jimmy Adams reported on the strategic plan progress. Dr. Whaley asked why the timeline for CAEP standards is outdated. Chair Webb said that the CAEP standards timeline should be revised with a solid date in order to report on the actual progress.

Dr. Walters-Parker said that CAEP is seeking input on the CAEP handbook through the end of February. An information item on adopting the CAEP standards will be brought to the Board in April. Dr. Whaley expressed his concerns that institutions, particularly those with upcoming accreditations, will be the first affected by the approval of the new standards and will need training. Dr. Walters-Parker said institutions with upcoming accreditations will be given priority for training on the new standards.

### Literacy Preparation Advisory Committee (LPAC)

Dr. Kim Walters-Parker reported that the Board recently passed 16 KAR 5:060, a literacy regulation. The work of LPAC is now geared toward providing an avenue for those programs affected by the regulation to submit program changes, and working to ensure enough literacy and content educators are available to review changes to the programs. Dr. Whaley asked what the process is for training in literacy documents. Dr. Walters-Parker said the documents will be sent

to experienced educators for feedback with special attention to assessments. Webinars will also be offered. Dr. Walters-Parker said guidance in writing will be given to the institutions.

#### Council for the Accreditation of Educator Preparation (CAEP) Reporting Data

Dr. Kim Walters-Parker discussed the alignment of the Kentucky educator preparation accountability system elements with the EPSB goals and strategies, CAEP standards, and the proposed federal education regulations.

Commissioner Terry Holliday said his continuing concern is to ensure the existing data sources through the Kentucky Center for Education and Workforce Statistics is used so institutions are not required to give the EPSB existing data. Dr. Walters-Parker said a meeting with the Kentucky Information Technology in Educator Preparation (K-ITEP), a Kentucky Association of Colleges for Teacher Education (KACTE) committee, has been scheduled to discuss data and information available for annual reporting which will address his concern.

President Robert King expressed his concern that the assessment measures offered by Educational Testing Service are not good measures. He asked if there were any discussions for finding other measures for assessing the readiness of teachers. Dr. Walters-Parker said she can research other measures. Chair Webb asked for a system or process that the Board can implement so that stakeholders can have discussions to guide the Board. Dr. Mary John O'Hair said she would like the Board to have formal feedback on stakeholders' concerns. Mr. Brown said that study sessions can be arranged. Ms. Marie McMillen said she would like to see a regular monthly meeting with the deans. Dr. Walters-Parkers said her division could try to engage the deans and chairs monthly or as the institutions prefer.

Mr. Mike Ross said he would like to see measures other than the Principles of Learning and Teaching assessments. Mr. Brown said that is very doable, but he cautioned the Board not to add more measures because none of the assessments are free. He said the Board should think about replacing measures, not adding them.

#### Legislative Update

Ms. Alicia Sneed gave an update to the Board. She said 480 bills have been introduced in the House or Senate. No bills that directly affect the EPSB have been introduced. A tracking sheet with the bills that are moving through the House and Senate will be sent to the Board on a regular basis for Board members to track.

#### **Report of the Chair**

##### **Committee Appointments**

#### Program and Accreditation Review Committee (PARC)

Chair Webb made the following reappointments to PARC: Margaret Moore, Cindy Parker, Manish Sharma, Debbie Haydon, Renee Campoy, Judi Conrad, Carol Ryan, and Verna Lowe.

Chair Webb made the following new appointments to PARC: Norm Bishop, April Wood, Jason Reeves, Karen Heavin, Amy Lingo, Norma Wheat, Tonya Kirchner, Sherry Powers, Katherine McCormick, Julia Roberts, Margo DelliCarpini, Leah Hoover, Maggie McGatha, and Rosetta Sandidge.

Dr. Whaley asked about the process for appointments. Chair Webb explained that appointments are made by the chair per EPSB policy. She said as a chair she relies heavily on the staff for appointment recommendations, because she does not have the knowledge of all educators across the state. Mr. Brown sends the recommended appointments to the chair and vice chair as a courtesy for review. If the Board would like to change the way appointments to the Board are made it can be done through a policy change.

#### Principal Program Review Committee

Chair Webb made the following new appointments to the Principal Program Review Committee: Michael Godbey, Shelley Badgett, Justin Bathon, Jeff Blythe, Nick Carter, Tony Maxwell, Brian Robinson, Laura Pugh, Claudette Herald, Kathy House, Eric Davis, and Lu Young

Chair Webb made the following reappointments to the Principal Program Review Committee: Robert Lyon and Pat Trotter

#### **Executive Director Goals**

Chair Webb informed the Board that a committee worked on the evaluation structure for the Executive Director, and it was her and Vice Chair O'Hair's task to meet with Mr. Brown to review the goals. She asked for input from the Board on the goals. Mr. Anthony Strong inquired as to what evaluation instrument would be used to show how Mr. Brown met his goals. He felt an evaluation instrument should be created and when Mr. Brown is evaluated, his goals would be set based on his evaluation. Chair Webb said she felt that the goals are the vision and the instrument would be developed afterwards to measure the goals if the goals are measurable. Discussion ensued on whether the goals or evaluation instrument should be developed initially. It was determined that the goals as presented at the meeting should be called standards on the evaluation instrument and the objectives should be called indicators. For the next step, Chair Webb is going to take the old evaluation form and crosswalk it with the new standards and compare the two.

Ms. Marie McMillen stated she was pleased that Mr. Brown planned to meet with superintendents at cooperatives and have a question and answer session as part of his evaluation. Mr. Brown said a point of concern was that he has no control over the cooperatives' agendas. Chair Webb said she anticipates drafting a letter to the cooperatives requesting he have time on the agendas.

#### **Presentations**

##### University of Louisville and University of Kentucky Middle School Clinical Preparation Programs

Dr. O'Hair introduced Dr. Penny Howell, Assistant Professor, Literacy and Middle Grades Teacher Education, University of Louisville, and Dr. Margaret Rintamaa, Clinical Assistant Professor, Middle School Teacher Education, University of Kentucky. Dr. Rintamaa said this presentation is a great example of cross institutional collaboration between the University of

Kentucky and University of Louisville. The presentation received praises from the Board. It was stated that through this program, new teachers will do a great job teaching older teachers and first year teachers can show students they can be successful in different schools.

## **Information/Discussion Items**

### Awarded Contracts

Mr. Jimmy Adams informed the Board of KTIP and CTE KTIP contract amendments.

### Mid-Year Budget Report

Mr. Adams reported on the EPSB mid-year budget and said there were no concerns. Everything was in line with what had been budgeted. He added that the National Board Incentive Trust Fund account has been completely expended as of January. Everyone that submitted paperwork for National Board reimbursement was reimbursed.

### 16 KAR 1:030. Procedures for Certificate Revocation, Suspension, Reinstatement and Reissuance, and Application Denial, Amendment, Notice of Intent

Chair Webb began the discussion on proposed changes to 16 KAR 1:030 by going through each section of the regulation where there were proposed changes. In Section 1, Subsection 2, Mr. Gary Stephens explained the proposed changes to add a subcommittee to review complaints. Discussion ensued and several questions were asked. These questions included the following:

- \*Who should serve on the committee?
- \* How often should the committee meet?
- \* Would the committee members need to recuse themselves once a case is opened and brought before the Board?
- \* Would a review of the complaints be redacted?
- \* Would a subcommittee slow down the process?
- \* Could the committee meet electronically?
- \* Would the complaints be subject to open records if a committee of the Board reviewed the complaints?
- \* Can a subcommittee consist of former board members?

Board attorney Michael Head gave some insight to the Board on the subcommittee process and his experience with past Boards. He told the Board that the Board must look at due process issues and efficiency issues as equally important. Mr. Head recommended that the Board appoint a small committee to meet on the regulation changes and present to the full board once the committee was finished with its charge. Chair Webb explained to Mr. Head that about a year ago the Board appointed the Committee to Ensure an Ethical Educator Workforce (CEEWE) which represented stakeholder groups. Chair Webb said perhaps this committee could resume again and bring back a draft regulation to the Board. Ms. Alicia Sneed proposed that the attorneys attending the Board meeting who represent various stakeholder groups meet and draft a regulation together.

### **2015-003**

*Motion made by Mr. Mike Ross, seconded by Ms. Laura Schneider, that a special meeting be held to develop a draft regulation for the Board to review.*

Discussion ensued. It was decided that a stakeholder group of attorneys will meet to discuss changes to the disciplinary regulation prior to the EPSB special meeting. Attorneys identified to be invited to attend the stakeholder meeting were the following: Alicia Sneed and her legal staff, Michael Head, Wayne Young, Dennis Janes, Mary Ruble, Bridget Brown, Dennis Courtney, JoEllen McComb, and John Fogle. If John Fogle is unable to attend then another board attorney such as Mike Owsley, Don Ruberg, or Bob Chenoweth should be invited to attend. Chair Webb announced the special meeting will be held on Monday, March 23, at 9:00a.m.

**Vote:** *Unanimous*

### **2015-004**

*Motion made by Mr. Ross, seconded by Ms. Sandy Sinclair-Curry, to authorize Michael Head to meet with attorneys prior to the special meeting to begin this work.*

**Vote:** *Unanimous*

Determining Probable Cause to Take Disciplinary Action Procedure, Amendment, Notice of Intent, New Policy: Policy and Procedure Development and Regulatory Promulgation Procedure, Notice of Intent

### **2015-005**

*Motion made by Mr. Ross, seconded by Ms. Marie McMillen to table Information Items D and E.*

**Vote:** *Unanimous*

Progress Report of Option 6 Programs, University of the Cumberlands

Drs. Shannon Deaton, Susan Rose, and Barb Kennedy, School of Education, University of the Cumberlands, reported on the progress of the Option 6 programs at University of the Cumberlands. They reported that university staff have worked on a robust data collection system. It was noted that while the process was painful it did provide opportunities to do great things.

### **Action Item**

Kentucky Teacher Internship (KTIP) Appeals

### **2015-006**

*Motion made by Ms. McMillen, seconded by Ms. Schneider, to approve the Appeal's Committee recommendation that the decision of unsuccessful is upheld by the intern committee.*

**Vote:** *Unanimous*



## **Waiver**

16 KAR 9:080. Request to Waive Admission Requirements, Mr. Michael Dailey

**2015-007**

*Motion made by Ms. Sandy Sinclair-Curry, seconded by Ms. Barbara Boyd, to approve the waiver request for Mr. Michael Dailey.*

**Vote:** *Unanimous*

## **Action Item C**

Kentucky Rising Resolution

**2015-008**

*Motion made by Mr. Ross, seconded by Ms. Laura Schneider, to accept the resolution and direct Mr. Brown to sign it.*

**Vote:** *Unanimous*

## **Board Comments**

There were no Board comments.

## **DISCIPLINARY MATTERS: MINUTES OF CASE REVIEW February 9, 2015**

*Motion made by Ms. Sandra Sinclair-Curry, seconded by Ms. Marie McMillen, to go into closed session for the purpose of discussing proposed or pending litigation in accordance with KRS 61.810(1) (c) & (j).*

**Vote:** *Unanimous*

*Motion made by Ms. Sinclair-Curry, seconded by Dr. David Whaley, to return to open session.*

**Vote:** *Unanimous*

The following board members concurred with the actions as listed below with the noted exceptions:

Cassandra Webb, Michael Ross, Ellen Blevins, Marie McMillen, David Whaley, Laura Schneider, Tolya Ellis, Barbara Boyd, April Wood, Sandra Sinclair-Curry, Mary John O'Hair, Allen Kennedy, Anthony Strong, and Brandy Beardsley.

Attorneys present were Alicia A. Sneed, Cassie Trueblood, Gary Stephens, Chelsea Fannin, Eric Ray, and Michael Head.

**Initial Case Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
1410725	Defer
1409695	Hear
1411767	Dismissed
1408638	Dismissed
1409662	Dismissed
1410736	Admonish
1404232	Defer for training
1411775	Dismissed ( <i>Ms. Blevins dissented</i> )
1411786	Hear
1409673	Hear
1409693	Hear
1411777	Hear
1412808	Defer for training
1410734	Hear
1409685	Admonish
1411756	Admonish
1411750	Admonish
1412825	Hear ( <i>Ms. Webb recused</i> )
1410710	Hear
1411748	Defer for training
1411754	Hear
1411746	Dismissed
1411765	Hear
1412806	Hear
1408510	Dismissed
1412804	Dismissed
1411744	Hear
1410719	Defer for training
1408512	Dismissed
1411801	Hear
1411769	Hear
1411788	Hear
1411790	Hear
1407417	Dismissed
07112221	Dismissed

**Character/Fitness Review**

<b><u>Case Number</u></b>	<b><u>Decision</u></b>
141194	Approve
141201	Deny

141205	Approve
141206	Defer
141209	Deny
141212	Approve
141213	Approve
141219	Approve
141221	Deny
1514	Approve
1531	Approve
1545	Deny
1511	Approve
1559	Deny
1513	Approve
1512	Approve
1565	Deny
1570	Deny
1541	Approve
1552	Defer
141190	Approve
141218	Approve
141223	Approve
141229	Approve
141230	Approve
1520	Approve
155	Approve
1536	Approve
1528	Approve
1523	Approve
1569	Approve
1546	Approve
1567	Approve

### **Agreed Orders**

#### **Case Number**

#### **Decision**

1310750 (Lisa McClees)	<p>Accept Agreed Order suspending Respondent's certificate for a period of two (2) years from the date the Board approves this Order. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601.</p> <p>In addition to any educational requirements, reinstatement of Respondent's certificate at the conclusion of the two (2)</p>
------------------------	--

year suspension period is expressly conditioned upon Respondent providing written evidence that she has complied with the following:

1. Respondent shall provide written proof to the Board that she has completed a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board. Respondent shall also submit written proof to the Board that she has successfully completed any and all treatment recommendations proposed by the counselor and is competent to fulfill her duties as a certified educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.
2. Respondent shall provide written proof to the Board that she has successfully completed twelve (12) hours of training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent.

If Respondent fails to satisfy these conditions prior to the conclusion of the two (2) year suspension period, her certificate shall not be reinstated until Respondent completes the required training and provides the appropriate written proof to the Board.

Upon reinstatement, Respondent's teaching certificate shall be on probation for a period of five (5) years and subject to the following probationary conditions:

1. For the entirety of the probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.
3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts by January 1<sup>st</sup> of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent provides the appropriate written proof to the Board.

4. In accordance with KRS 161.175, Respondent shall submit to random drug testing during the probationary period, to be administered by a provider approved by the Board, and shall receive no drug test positive for illegal substances or in excess of therapeutic levels generally acceptable in the medical community. Any expense required for the drug testing shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of two (2) years and subject to additional sanctions by the Board pursuant to KRS 161.120. Respondent is aware that should she violate KRS 161.120, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1305361 (Charles Delaney) Accept Agreed Order which states that, on or before March 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed three (3) hours of Administration Code training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board. On or before July 1, 2015, Respondent shall submit written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent completes the required training and provides the appropriate written proof to the Board. This agreement is expressly conditioned upon Respondent agreeing to testify truthfully in any hearing involving her co-Respondents at the Board's request. Should Respondent refuse to do so at any point in the future, the Board may void this Order, reopen this case, and seek additional sanctions against Respondent's certificate.

**Vote:** *Unanimous*

1010632 (Riccardo X) Accept Agreed Order dismissing Case Number 10-10632 without prejudice.

**Vote:** *Unanimous*

1205290 (Johnathan Slone) Accept Agreed Order admonishing Respondent for neglect of duty. The Board reminds Respondent that he has a statutory duty to competently perform his duties and to follow all state statutes and regulations relating to schools. The Board will not tolerate any further incidents of misconduct from Respondent. Respondent's certificate shall be subject to the following probationary conditions for a period of three (3) years from the date upon which the Board approves this agreement:

1. On or before July 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed the Leadership Institute for School Principals offered through the Kentucky Chamber Foundation. Any expense incurred for said program shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's Professional Certificate for Instructional Leadership – Principal, All Grades, Level 2 shall be automatically suspended for further action by the Board.
2. On or before January 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of professional development or training, as approved by the Board, on the Professional Code of Ethics for Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for further action by the Board.
3. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving neglect of duty. "Disciplinary action" is defined as any suspension, termination, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process. If Respondent fails to comply with the requirements of this paragraph, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended for a period of thirty (30) days. Respondent is aware that should he violate KRS 161.120, either during or following this three (3) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1106409 (Jonathan Koboski) Accept Agreed Order which states that Respondent shall neither apply for nor be issued any emergency teaching certificate, including emergency substitute certification. Respondent shall only be permitted to apply for temporary provisional or statement of eligibility if he has met the educational requirements. In addition, prior to being issued temporary provisional or statement of eligibility, Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment and/or written reports shall be paid by Respondent. Should Respondent fail to satisfy this condition, the Board shall deny all applications submitted by Respondent or on his behalf.

**Vote:** *Unanimous*

07112204 (Veronica Davis) Accept Agreed Order which states that Respondent's certificate has lapsed and she is no longer employed in the education profession. Should Respondent decide to return to the profession in the future, she must provide proof of the following prior to being issued or reissued a certificate:

1. Respondent shall undergo a comprehensive alcohol/substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall present written evidence to the Board that she has complied with the assessment process. Any expense for the assessment and written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that he has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense required for said training shall be paid by Respondent.

Any and all certificates issued to Respondent shall be subject to the following conditions:

1. If Respondent's chemical dependency counselor makes any treatment recommendations, Respondent shall comply with the treatment recommendations. Respondent shall submit quarterly written progress reports from her counselor to the Board until such time as the counselor

releases her from treatment. Any expense for the treatment and/or written reports shall be paid by Respondent. Failure to comply with this condition will result in Respondent's certificate being automatically suspended until Respondent is in compliance.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) involving the use and/or possession of any controlled substance or alcohol. If Respondent is convicted of, or enters a guilty or no contest plea, to any criminal charge involving the use and/or possession of any controlled substance or alcohol, she shall submit this information to the Board, in writing, within thirty (30) days. Failure to comply with this condition will result in Respondent's certificate being automatically suspended pending Board review and disposition.

3. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, with any application for renewal of her certification(s) and/or for additional certification(s). Any expense required to satisfy this condition shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on her behalf.

**Vote:** *Unanimous*

1207417 (Rodney Gill)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for neglect of duty. The Board reminds Respondent that he owes an ethical duty to parents to make reasonable efforts to communicate information to them, which should be revealed in the interest of the student. This would include notifying parents that their child was failing his class in a timely manner, and providing the appropriate documentation to his supervisor upon request. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be subject to the following probationary conditions:

1. Prior to returning from medical leave, Respondent shall provide written proof to the Board that he has been evaluated by a Kentucky licensed or certified physician and is fit to return to the classroom, presents as capable of fulfilling his duties as an educator, is not a danger to himself or others, and is compliant with all treatment



recommendations. Any expense incurred for said evaluation, treatment, and/or reports shall be paid by Respondent.

2. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has completed three (3) hours of classroom management professional development or training, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1306401 (Jon Maxwell)

Accept Agreed Order admonishing Respondent for using inappropriate physical force to control a student's behavior. An educator in the Commonwealth of Kentucky has a duty to take reasonable measures to protect the health, safety and emotional well-being of students, and must remain aware of the line between appropriate and inappropriate physical contact when interacting with students. Furthermore, the Board reminds Respondent of his duty to maintain the dignity and integrity of the profession at all times. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent is not currently teaching in the state of Kentucky, and has no immediate plans to return to Kentucky. Should Respondent return to the Kentucky public school system in any capacity that requires certification, he shall first submit written proof to the Board that he has complied with the following conditions:

1. Respondent shall submit written proof to the Board that he has completed twelve (12) hours of professional development or training in the area of educator ethics, with

an emphasis on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense for said training shall be paid by Respondent.

2. Respondent shall submit written proof to the Board that he has completed the Kentucky Department of Education's restraint and seclusions training entitled *Promoting Positive Behavior in Schools*. Any expense for said training shall be paid by Respondent.

Should Respondent fail to complete the above conditions prior to returning to the Kentucky public school system, his certificate shall be automatically suspended until such conditions are satisfied. Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1405285 (Samantha Matthews) Accept Agreed Order admonishing Respondent for bringing a deadly weapon to school. As an educator, Respondent has a duty to protect the health, safety, and emotional wellbeing of students. Additionally, Respondent is required to obey the laws regarding weapons on school campuses. Although there were extenuating circumstances that led to this violation, Respondent is reminded that when she is serving as a teacher she must ensure that her students are safe. No further acts of misconduct by Respondent will be tolerated by Board.

Respondent's certificate is subject to the following probationary conditions from the date of acceptance of this order:

1. Respondent shall provide written proof to the Board that she has taken ETS's Educator Ethics Assessment within two (2) months of its national release tentatively scheduled for the fall of 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

2. Respondent shall provide written proof that he has received twelve (12) hours of professional development/training in the area of gun safety and Kentucky deadly weapons laws, as approved by the Board, no later than September 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent

fails to satisfy this condition by September 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

3. Respondent shall provide written evidence to the Board from a Kentucky licensed and/or certified psychiatrist and/or mental health professional, approved by the Board, that she has complied with a comprehensive evaluation and is fit to serve in the classroom, presents as capable of performing her duties as a teacher, is not a danger to herself or others, and is compliant with all treatment recommendations. If the evaluating psychiatrist and/or mental health professional recommends ongoing treatment, Respondent shall present the Board with written annual reports that she is compliant with all treatment recommendations until released from treatment. All treatment providers shall be approved by the Board and the financial cost of any treatment and/or reports is to be paid by Respondent.

4. Respondent shall have no further disciplinary action involving deadly weapons. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either the tribunal and/or arbitration process. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a suspension, termination, or public reprimand shall be considered a violation of this condition. Should Respondent violate this condition, Respondent's certificate shall be automatically suspended for a period of one (1) year and subject to additional sanctions by the Board pursuant to KRS 161.120.

5. Respondent shall have no criminal convictions involving deadly weapons or assault. Respondent shall submit a state criminal background records report to the Board with all future applications for certification or certification renewal. Any expense for the state criminal background records report shall be paid by Respondent. If Respondent is convicted for any crime involving deadly weapons or assault, any and all certificates issued to Respondent shall be automatically suspended and a new disciplinary case initiated.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1212783 (Sandra Von Handorf) Accept Agreed Order dismissing Case Number 12-12783 without prejudice.

**Vote:** *Unanimous*

1311817 (Megan Mathis) Accept Agreed Order suspending Respondent's certificate for a period of one (1) year from the date upon which the Board approves this agreement. Respondent shall neither apply for, nor be issued, a teaching certificate in the Commonwealth of Kentucky during the suspension period. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of her certificate to the EPSB, by delivering or mailing to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

Prior to reinstatement of Respondent's certificate at the conclusion of the one (1) year suspension period, Respondent must comply with the following conditions:

1. Respondent shall provide written proof to the Board that she has been assessed by a state certified mental health counselor, as approved by the Board, and is competent to fulfill her duties as an educator. Respondent shall provide proof that she has complied with any treatment recommendations proposed by the mental health counselor and shall continue to provide treatment records to the Board until she has been released from treatment by the counselor. Any expense incurred for the assessment or follow-up treatment shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that she has completed a course, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense required for said training shall be paid by Respondent.

Should Respondent fail to satisfy any of these conditions, Respondent's certificate shall not be reinstated.

Upon reinstatement, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following permanent probationary conditions:

1. For the entirety of the probationary period, Respondent shall not hold a certified position in any school district in the Commonwealth of Kentucky that allows her access to money or financial accounts. Respondent shall file documentation substantiating that she does not hold such position by July 1<sup>st</sup> of each year. If Respondent is required to collect money from students in a classroom setting,

Respondent shall establish safety protocols with the school principal to ensure that any funds collected are properly accounted and shall file these safety protocols with the Board prior to the collection of any money.

2. For the entirety of the probationary period, Respondent shall receive no disciplinary action involving fiscal mismanagement. "Disciplinary action" is defined as any public reprimand, suspension, or termination issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy any of these conditions during the probationary period, Respondent's certificate shall be automatically suspended for a period of six (6) months. If applicable, at the conclusion of the six (6) month suspension, Respondent's certificate shall remain suspended until such time as the probationary conditions are met.

Respondent is aware that should she violate KRS 161.120, during the probationary period, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1306393 (Daniel Dixon)

Accept Agreed Order admonishing Respondent for conduct unbecoming a teacher. As an educator, Respondent has a duty to maintain the dignity and integrity of the profession as well as a duty to refrain from demonstrating a willful or careless disregard for the health, welfare, and safety of others. The Board will not tolerate any further incidents of misconduct from Respondent.

Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years from the date the Board accepts this Agreed Order:

1. For the entirety of the probationary period, Respondent shall remain in compliance with all court orders related to Warren District Court Case Number 11-M-3722. Failure to comply with this condition will result in Respondent's certificate being automatically suspended for further action by the Board.

2. On or before March 1, 2015, Respondent shall undergo an anger management assessment by a licensed clinical provider, as approved by the Board, and shall present written evidence to the Board that he has complied with the assessment process and has successfully completed all

treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before March 1, 2015, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

3. On or before July 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of training or professional development, as approved by the Board, on the Professional Code of Ethics for Kentucky Certified School Personnel. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to comply with the requirements of this paragraph on or before July 1, 2015, Respondent's certificate, and any future endorsements or new areas of certification, shall be automatically suspended until Respondent submits the required written proof to the Board.

4. For the entirety of the probationary period, Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Failure to comply with this condition will result in an automatic one (1) year suspension of Respondent's certificate.

5. Respondent shall submit current national and state criminal background reports to the Board with any application for renewal of his certification(s) and/or for additional certification(s). Any expense for the national and state criminal background reports shall be paid by Respondent. Failure to comply with this condition will result in the denial of all applications for renewal and/or additional certification(s) submitted by Respondent or on his behalf.

Respondent is aware that should he violate KRS 161.120, either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1405270 (Pamela Allen)

Accept Agreed Order reminding Respondent that disputes between educational colleagues should not take place in front of students. Educators have a duty to exemplify behaviors that maintain the dignity and integrity of the profession. The Board acknowledges that educators

working in close proximity will have work place issues arise from time to time, but those issues need to be worked out privately and not in front of students.

Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:

1. Respondent shall provide written proof to the Board that she has received six (6) hours of professional development/training in the area of anger management, as approved by the Board, no later than March 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by March 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board; and

2. Respondent shall provide written proof that she has received six (6) hours professional development/training in the area of ethics, as approved by the Board, no later than March 1, 2015. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition by March 1, 2015, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

**Vote:** *Unanimous*

1402118 (Dana McCubbin) Accept Agreed Order admonishing Respondent by the Board for neglecting her duties as an educator by continually missing instructional school days. Additionally, Respondent's certificate is subject to the following probationary condition from the date of acceptance of this order by the Board:  
Before applying to any education position, Respondent shall provide written proof to the Board that she has received twelve (12) hours of professional development/training in the area of ethics, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to satisfy this condition before applying to any education position, any and all certificates issued to Respondent will automatically be suspended until such training is completed and the appropriate written proof is provided to the Board.

**Vote:** *Unanimous (Ms. Blevins recused)*

1404229 (Terry Jones)

Accept Agreed Order which states that Respondent shall surrender his teaching and administrative certificates. Respondent shall neither apply for, nor be issued, a teaching and/or administrative certificate in the Commonwealth of Kentucky at any time in the future. Respondent shall surrender the original certificate and all copies of his certificate to the EPSB, by delivering or mailing them to 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

1405287 (Rebecca Boling)

Accept Agreed Order admonishing Respondent for failing to properly maintain the dignity and integrity of the profession. Additionally, KRS 161.120(1)(f) prohibits educators from possessing, using, or being under the influence of alcohol during the performance of their duties. The consumption or possession of alcohol in any amount or form on school property or during the performance of an educator's duties will not be tolerated by the Board. Respondent is currently a retired educator, however if Respondent chooses to return to the classroom in any capacity, she shall complete twelve (12) hours of ethics training prior, as approved by the Board, prior to seeking re-employment as a teacher. Any expense incurred for said training shall be paid by Respondent. If Respondent fails to complete the above training prior to returning to the classroom, her Kentucky teaching certificate shall be automatically suspended until she provides proof to the Board that she has completed the above required twelve (12) hours of ethics training.

**Vote:** *Unanimous*

140237 (Laura Munson)

Accept Agreed Order suspending Respondent's certificate for a period of two (2) years beginning January 1, 2014. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of this certificate, by first class mail or personal delivery, to the Education Professional Standards Board, 100 Airport Road, Third Floor, Frankfort, Kentucky 40601. Prior to reinstatement of Respondent's certificate, Respondent shall comply with the following.

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, approved by the Board, and present written evidence to the Board that she has complied with the assessment process and has either



successfully completed or is working toward completing any and all treatment recommendations and is fit to fulfill her duties as an educator. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.

2. Respondent shall provide written evidence to the Board that she has completed twelve (12) hours of professional development/training in ethics as approved by the Board and at her own expense.

If Respondent fails to satisfy either of these conditions, Respondent's certificate shall not be reinstated until all conditions are met.

Upon reinstatement, Respondent's certificate, including any future endorsements or new areas of certification, shall be subject to the following probationary conditions for a period of five (5) years.

1. If Respondent is not able to complete all chemical dependency treatment recommendations prior to reinstatement of her certificate, she shall submit quarterly written progress reports from her chemical dependency counselor until such time as the counselor releases her from treatment or the probationary period ends, whichever comes first. Each progress report shall certify that Respondent is continuing to comply with any and all treatment recommendations and that she remains fit to fulfill her duties as an educator. Any expense incurred for treatment and/or reports shall be paid by Respondent.

2. Respondent shall not be convicted of nor enter a guilty or no contest plea to any criminal charge(s) other than minor traffic violations. Respondent shall submit a copy of her current criminal record, as prepared by the Administrative Office of the Courts, by July 1<sup>st</sup> of each year of the probationary period. Any expense required to satisfy this condition shall be paid by Respondent.

By entering into this Agreed Order, Respondent agrees that should she fail to satisfy and/or violate either of these conditions, her certificate shall be automatically suspended for a period of one (1) year. If applicable, at the conclusion of the one (1) year suspension, her certificate shall remain suspended until such time as all of the above conditions are met. Respondent is aware that should she violate KRS 161.120 either during or following this five (5) year period of probationary conditions, the Board shall initiate new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1311792 (Lafaye Marshall) Accept Agreed Order dismissing Agency Case Number 1311792 on the following conditions. On or before January 1, 2016, Respondent shall submit written proof to the Board that she has completed the following, approved by the Board and at her own expense:

1. Three (3) hours of classroom management training;
2. Three (3) hours of ethics training with a component addressing confidentiality issues; and
3. NEA Diversity Training.

Should Respondent fail to satisfy either of these conditions, her certificate shall be automatically suspended until all conditions are met.

**Vote:** *Unanimous*

1311777 (Lynsie Smith) Accept Agreed Order dismissing Agency Case Number 1311777 on the following conditions. Prior to being issued any teaching and/or administrative certification in the Commonwealth of Kentucky, Respondent shall comply with the following.

1. Respondent shall undergo a comprehensive substance abuse assessment by a Kentucky licensed and/or certified chemical dependency counselor, as approved by the Board, and shall provide written evidence to the Board that she has complied with the assessment process and has successfully completed any and all treatment recommendations. Any expense for the assessment, treatment, and/or written reports shall be paid by Respondent.
2. Respondent shall submit written proof to the Board that she has completed a course on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board and at her own expense.

Respondent understands that should she fail to satisfy these conditions, any application for certification, submitted by her or on her behalf, shall be denied.

**Vote:** *Unanimous*

1307491 (Gary Beach) Accept Agreed Order dismissing Agency Case Number 200704067 on the following conditions. On or before June 1, 2015, Respondent shall provide written proof to the Board that he has satisfied the following conditions:

1. Six (6) hours of professional development/training approved by the Board and at his own expense, in classroom management techniques for exceptional children; and
2. Safe Crisis Management certification, approved by the Board and obtained at his own expense.

Should Respondent fail to satisfy either of these conditions, his certificate shall be suspended until all conditions are met.

**Vote:** *Unanimous*

1309691 (Connie Ham)

Accept Agreed Order suspending Respondent's certificate for a period of thirty (30) days beginning September 5, 2013. Respondent shall surrender the original and all copies of this certificate immediately, by first class mail or personal delivery to the Education Professional Standards Board, 100 Airport, Road, Third Floor, Frankfort, Kentucky 40601.

Prior to returning to any position of employment that requires teaching certification, Respondent shall submit written proof to the Board that she has successfully completed the following, each approved by the Board and at her own expense:

1. Twelve (12) hours of professional development/training in effective classroom management techniques;
2. Anger management counseling;
3. Three (3) hours of diversity training for classroom teachers; and
4. Twelve (12) hours of professional development/training in ethics.

Should Respondent use her teaching certificate without first satisfying these four conditions, her certificate shall be automatically suspended and remain so until all conditions are met and potentially face additional sanctions for failure to comply with this Order.

Upon entry of this Order, Respondent's certificate shall be subject to the following probationary condition for the life of the certificate. Respondent shall not be disciplined by any school district for any conduct which violates KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination either uncontested by Respondent or upheld by either the tribunal or arbitration process, if requested. If Respondent violates this condition, the Board shall automatically suspend her certificate for a period of two years and may seek additional sanctions pursuant to KRS 161.120.

**Vote:** *Unanimous*

1312897 (Kirk McElroy)

Accept Agreed Order suspending Respondent's certificate for a period of three (3) days beginning November 20, 2013; however, imposition of this sanction is suspended

and Respondent shall be subject to the following probationary conditions.

1. On or before August 1, 2015, Respondent shall submit written proof to the Board that he has completed twenty-four (24) hours of professional development/training, approved by the Board and at his own expense, in effective classroom management strategies.

2. From the date of the Board's acceptance of this Order until August 1, 2016, Respondent shall not be disciplined by any school district for conduct in violation of KRS 161.120 and/or 16 KAR 1:020. Discipline shall be defined as a reprimand, admonishment, suspension, or termination upheld by either the tribunal or arbitration process, if requested.

If Respondent satisfies the above conditions, the three (3) day suspension shall not be imposed. Should Respondent fail to satisfy either of the conditions, the Board shall automatically suspend his certificate for a period of three (3) days beginning November 20, 2013, and may seek additional sanctions pursuant to KRS 161.120.

**Vote:** *Unanimous*

1408505 (Jerry Drury)

Accept Agreed Order retroactively suspending Respondent's certificate for a period of sixty (60) days from August 15, 2014 through October 13, 2014.

Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3rd floor, Frankfort, KY 40601.

Upon reinstatement, Respondent's certificate shall be subject to the following probationary conditions:

1. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed twelve (12) hours of educator ethics professional development or training, which shall include a component on appropriate teacher/student boundaries, as approved by the Board. Any expense incurred shall be paid by Respondent. Should Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. On or before December 1, 2015, Respondent shall provide written proof to the Board that he has successfully completed sexual harassment awareness professional development or training, as approved by the Board. Any expense incurred shall be paid by Respondent. Should

Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. Respondent shall not receive any disciplinary action from any school district in which he is employed. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

*"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.*

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

1407423 (Stephen Meyer)

Accept Agreed Order which states that Respondent shall not seek or accept any position of employment in Kentucky that requires teaching certification. Additionally, upon the expiration of Respondent's certificate on June 30, 2016, Respondent shall neither apply for, nor be issued, a teaching, administrative or emergency certificate in the Commonwealth of Kentucky at any time in the future. Should Respondent violate this agreement, Respondent's certificate shall be automatically suspended for its remainder and/or any application for certification shall be denied.

**Vote:** *Unanimous*

1405333 (Suzanne Bickers)

Accept Agreed Order which states that Respondent shall neither apply for nor be issued any teaching, administrative, or emergency certificate in the Commonwealth of Kentucky at any time in the future. Any future application submitted by Respondent, or on her behalf, shall be denied.

**Vote:** *Unanimous*

1306432 (Susan Lyons)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment, and for neglect of

duty. The Board reminds Respondent of her ethical duty to take reasonable measures to protect the health, safety and emotional well-being of her students. Leaving students unsupervised for any length of time is unacceptable. Furthermore, the Board reminds Respondent that she must instruct students according to the curriculum of the district. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate shall be subject to the following probationary conditions for a period of two (2) years:

1. On or before February 1, 2016, Respondent shall submit written proof to the Board that she has successfully completed twelve (12) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. Respondent shall not receive any disciplinary action for failing to properly supervise her students from any school district in which she is employed. Should Respondent fail to satisfy this condition during the probationary period, Respondent's certificate shall be automatically suspended for a period of five (5) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

*"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.*

Respondent is aware that should she violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

140269 (Clay Dawson)

Accept Agreed Order admonishing Respondent for exercising poor professional judgment. The Board reminds Respondent that as a certified educator in the Commonwealth of Kentucky he has a duty to take

reasonable measures to protect the health, safety, and emotional well-being of his students. As an administrator, it is his responsibility to ensure the proper procedures are being followed in his school at all times in order to ensure the safety of his students. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate, and any future endorsements or new areas of certification, shall be subject to the following probationary conditions:

1. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed six (6) hours of educator ethics professional development or training, with a focus on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has successfully completed a course, as approved by the Board, on successful leadership. Any expense incurred for said training shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous (Ms. Schneider recused)*

1211699 (William Anderson) Accept Agreed Order in which Respondent voluntarily, knowingly, and intelligently surrenders his Administrative Certificate, and agrees not to apply for, nor be issued an administrative certificate in the Commonwealth of Kentucky at any time in the future. Upon acceptance of this agreement by the Board, Respondent shall immediately surrender the original and all copies of his certificate, by personal delivery or first class mail, to the Education Professional Standards Board, 100 Airport Road, 3<sup>rd</sup> Floor, Frankfort, Kentucky 40601.

**Vote:** *Unanimous*

1405341 (Marshall Forbes) Accept Agreed Order admonishing Respondent for

exhibiting a lack of professional judgment in his interactions with students. Exchanging personal text messages with a student is inappropriate no matter the intent. The Board reminds Respondent that he has a duty to maintain a professional approach with all his students, and to maintain the integrity of the profession both inside and outside the classroom. The Board will not tolerate any further incidents of misconduct from Respondent.

Upon acceptance of this agreement by the Board, Respondent's certificate and any future endorsements or new areas of certification shall be subject to the following probationary conditions:

1. On or before February 1, 2016, Respondent shall provide written proof to the Board that he has completed twelve (12) hours of educator ethics training, as approved by the Board, which shall include instruction on appropriate teacher/student boundaries. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by February 1, 2016, Respondent's certificate shall be automatically suspended until such condition is satisfied.

2. On or before December 1, 2015, Respondent shall provide written proof that he has completed sexual harassment awareness training, as approved by the Board. Any expense required to satisfy this condition shall be paid by Respondent. Should Respondent fail to satisfy this condition by December 1, 2015, Respondent's certificate shall be automatically suspended until such condition is satisfied.

3. Respondent shall not receive any disciplinary action involving inappropriate teacher/student boundaries from any school district in which he is employed. Should Respondent fail to satisfy this condition, Respondent's certificate shall be automatically suspended for a period of thirty (30) days and subject to additional sanctions by the Board pursuant to KRS 161.120.

*"Disciplinary action" is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process, including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension, or public reprimand shall be considered a violation of this condition.*



Respondent is aware that should he violate KRS 161.120 in the future, the Board shall initiate a new disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

CF14717 (Shelly Stacy)

Accept Agreed Order which states that upon acceptance of this agreement by the Board, Respondent shall be issued a Kentucky teaching certificate upon providing proof that she has met the academic and testing requirements necessary for issuance of a certificate, and has completed the following conditions:

1. Respondent shall submit written proof to the Board that she has complied with a comprehensive evaluation from a licensed or certified psychiatrist or mental health professional and is fit to return to the classroom, presents as capable of performing her duties as an educator, is not a danger to herself or others, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.

2. Respondent shall submit written proof to the Board that she has complied with a comprehensive alcohol/substance abuse assessment by a Kentucky licensed or certified chemical dependency counselor, as approved by the Board, and is compliant with all treatment recommendations. Respondent shall pay any expense incurred.

3. Respondent shall submit written proof to the Board that she was prescribed Suboxone by a licensed or certified physician on September 25, 2014. Respondent shall pay any expense incurred.

4. Respondent shall submit written proof to the Board that she has successfully completed the Alcohol Driver Education Program as required by the Fayette County District Court in Case No. 14-T-23464, and complied with all court orders entered in the case. Respondent shall pay any expense incurred.

Furthermore, any and all certificates issued to Respondent by the Board shall be subject to the following probationary conditions:

1. On or before February 1, 2016, Respondent shall submit written proof to the Board that she has completed twelve (12) hours of professional development or training on the Professional Code of Ethics for Kentucky Certified School Personnel, as approved by the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically suspended until such condition is satisfied.

2. On or before June 30th for a period of four (4) years

from the date of initial issuance of the first certificate, Respondent shall submit a state criminal background report. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically suspended until such condition is satisfied.

3. With any application for renewal of a certificate and/or with any application for an additional certificate, Respondent shall submit a state and federal criminal background report to the Board. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, renewal of her certificate and/or issuance of the additional certificate shall be denied.

4. For a period of five (5) years from the date of initial issuance of the first certificate, Respondent shall submit to random drug testing, to be administered by a provider approved by the Board, and shall receive no drug test that is positive for alcohol or any illegal substance or that is in excess of therapeutic levels generally accepted in the medical community. Respondent shall pay any expense incurred. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically permanently revoked.

5. Respondent shall have no further criminal convictions. If Respondent is convicted of any crime other than a minor traffic violation, any and all certificates issued to her shall be automatically permanently revoked. A violation is not considered a minor traffic violation if it is a violation for which jail time may be imposed.

6. Respondent shall have no disciplinary action involving use of alcohol or any illegal substance by any school district in which she is employed. If Respondent fails to satisfy this condition, any and all certificates issued to her shall be automatically permanently revoked.

*“Disciplinary action” is defined as any termination, suspension, or public reprimand issued by any school district in the Commonwealth of Kentucky and upheld, if requested, by either a tribunal and/or arbitration process including any appeal therefrom. If the tribunal amends the disciplinary action or if Respondent agrees to amend the disciplinary action through arbitration, the new disciplinary action if a termination, suspension or public reprimand shall be considered a violation of this condition.*

Respondent is aware that should she violate any provision of KRS 161.120 in the future, the Board shall initiate a

disciplinary action and seek additional sanctions.

**Vote:** *Unanimous*

*Motion made by Ms. Sinclair-Curry, seconded by Ms. Beardsley, to adjourn the meeting.*

**Vote:** *Unanimous*

Meeting adjourned at 3:30 p.m.

**Next Meeting:**      **April 13, 2015**  
                             **9:00 AM**  
                             **EPSB Board Room**  
                             **Frankfort, Kentucky**